



image 2

177H

PATENT / DOCKET NO. 31567.3
CUSTOMER NO. 27683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Kramer, et al.

Serial No.: 10/017,798

Filed: December 12, 2001

For: ePTFE PRODUCT FOR MEDICAL
APPLICATIONS

§
§
§
§
§
§
§

Group Art Unit: 1771

Examiner: Victor S. Chang

RESPONSE TO THE RESTRICTION REQUIREMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a response to the Restriction Requirement dated July 28, 2003. Applicant hereby requests any extensions of time that maybe necessary and authorizes the Commissioner to charge payment of any fees associated herewith or to credit any overpayment to Deposit Account No. 08-1394.

RESPONSE

The Applicant respectfully traverses the Examiner's contention that a restriction for examination purposes is appropriate. More specifically, claim 1 expressly recites an article of expanded PTFE "for an application as a vascular graft, cardio vascular patch, cardio vascular suture or stent cover." In a similar manner, the method of claim 10 also recites "a method for producing a vascular graft, cardio vascular patch, cardio vascular suture, or stent cover from expanded PTFE." Thus, the applicant is not presently claiming a method of making a different product, such as a polyolefin membrane. On this basis, the Applicant hereby requests withdrawal of the restriction requirement and examination of presently pending claims 1-14.

In the event that the restriction requirement is not removed, the Applicant hereby elects claims 1-9, drawn to an article of expanded PTFE for further examination on the merits. The undersigned would welcome a telephone discussion to discuss this matter further including any claim amendments that the Examiner would consider appropriate to move the application towards a notice of allowance.

Respectfully submitted,



J. Andrew Lowes
Reg. No. 40,706

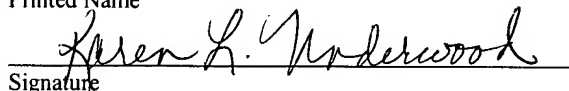
Date: 8/27/03
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972-680-7557
Facsimile: 972-692-9057
File: 31567.3
R54047

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 8-27-03.

Karen L. Underwood

Printed Name



Signature